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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,216	03/30/2001	Victor B. Lortz	42390P9915	6073

8791 7590 04/08/2004

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EXAMINER

BROSS, EDWARD J

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 04/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,216

Applicant(s)

LORTZ, VICTOR B.

Examiner

Edward Bross

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/12/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. Claims 1-19 are pending in this application.
2. Claim 8 is withdrawn from consideration. Applicant is required to cancel this claim in the next office action

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1, 4, 10, 13, 15, and 18 rejected under 35 U.S.C. 102(e) as being clearly anticipated by Walker (6,138,171).
5. As per claims 1, 10, and 15, Walker discloses:
identifying a plurality of states and associated state classes to a state machine;
identifying a plurality of events and associated state transitions to the state machine; and
the state machine creating state objects and a transition map according to the plurality of states and events (e.g. col. 3, lines 10-16 and col. 3 line 1 and col. 3 lines 27-32).
6. As per claims 4, 13, and 18, Walker discloses

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identifying at least one state factory to the state machine, the state machine invoking the state factory to create the state objects (e.g. col. 8, lines 35-50).

Claim Rejections - 35 USC § 103

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 2, 3, 11, 12, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Morcos et al. and Chandra et al. (5,517,432).

9. As per claims 2, 11, and 16, Walker discloses the limitations of claims 1, 10, and 15 as in the above 102 rejection. Walker does not disclose a plug-in class to monitor events. Morcos et al. discloses a plugin-in class (e.g. col. 6, lines 51-58) but does not disclose such a class to monitor events in a state machine. Chandra et al. discloses a component to monitor the state of a state machine (e.g. claim 17).

10. At the time of the invention it would have been obvious to a person of ordinary skill in the art to add the monitoring component disclosed by Chandra using the plug-in disclosed by Morcos in the state machine disclosed by Walker in order to be able to react to changes in the state machine in a highly customizable manner.

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11. As per claims 3, 12, and 17, Walker discloses the limitations of claims 2, 11, and 16 as above. Walker does not disclose a plug-in object that causes state transitions in a state machine. Morcos et al. discloses a plugin-in object (e.g. col. 6, lines 51-58) but does not disclose such an object that causes state transitions in a state machine. Chandra et al. discloses an input component that interacts with the state of a state machine to cause it to transition states (e.g. claim 14).

12. At the time of the invention it would have been obvious to a person of ordinary skill in the art to add the input component disclosed by Chandra using the plug-in disclosed by Morcos in the state machine disclosed by Walker in order to control and modify that state machine in a highly customizable manner.

13. Claims 5, 6, 7, 9, 14, and 19 rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Morcos et al. (6,167,404).

14. As per claims 5, 14, and 19, Walker discloses the limitations of claims 1, 10, and 15 as in the above 102 rejection. Walker does not disclose a plug-in factory. Morcos et al. discloses a plug-in factory (e.g. col. 6, lines 51-58).

15. At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the plug-in factory disclosed by Morcos in the state machine disclosed by Walker to gain the benefits of the factory design pattern.

16. As per claims 6 and 7, Walker discloses

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extending a base state class to create at least one extended state class;
configuring a base state machine class to operate with the extended state classes;
associating the extended state class with a state (col. 6 lines 1-8); and
a state factory for creating instances of state objects including extended state objects (e.g. col. 8, lines 35-50).

Walker does not disclose extending a base plug-in class. Morcos et al. discloses extending a base plug-in class (e.g. col. 6 line 59 – col. 7 line4).

17. At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the extendable base plug-in class disclosed by Morcos in the state machine disclosed by Walker in order to gain the typical benefit of extending a generic base class, namely shortened development time to produce custom plug-ins.

18. As per claim 9, Walker and Morcos et al. disclose the limitations of claim 7 as above.

Walker does not disclose a pug-in factory for extended plug-in classes. Morcos discloses a plug-in factory for extended plug-in classes (col. 6, lines 51-58).

19. At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the factory disclosed by Morcos with the state machine of Walker in order to gain the typical benefit of the factory design pattern, namely a generic method of creating instances of customized classes.

Response to Arguments

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20. Applicant's arguments filed on February 12, 2004 have been fully considered but they are not persuasive.

21. In the remarks, Applicant argued in substance that (1) Walker does not teach the limitation of the state machine creating state objects and a transition map according to the plurality of states and events; (2) Walker does not teach configuring the base state machine class to cooperate with a state factory class... extended state class.

22. Examiner respectfully traverses Applicants remarks:

A. As to point (1), Walker meets the recited limitation as shown through the mapping provided in the claim rejections above.

B. As to point (2), the combination of Walker and Morcos meets the recited limitation as shown through the mapping provided in the claim rejections above.

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Bross whose telephone number is 305-8754. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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